

From: Justin White-Lowther
To: Microsoft ATR
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Subject: Microsoft Settlement

It is my opinion that the proposed settlement of the Microsoft anti-trust case is a wholly inadequate remedy to such anticompetitive practices as have been established by the court. Particularly egregious is the failure of Section III.A.2 to forbid retaliation against OEMs which ship personal computers including a single non-Microsoft operating system; this allows Microsoft to use its market dominance to force the inclusion of Microsoft operating systems on all personal computers produced by an OEM. The OEM must then choose between including and supporting two operating systems on every system or the Microsoft operating system only. As the former choice will often be relatively expensive and impractical, this section will, while nominally allowing competition, sanction the occurrence of said "competition" upon uneven terms, effectively reinforcing the established monopoly.

For this reason, I strongly urge the rejection of this proposed settlement.

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